

District Judge Barbara J. Rothstein  
Chief Magistrate Judge Brian A. Tsuchida

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROHIT ROHIT,

Petitioner,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, *et al.*,

Respondents.

CASE NO. C19-1441 BJR BAT  
STIPULATION FOR ORDER OF  
DISMISSAL

NOTED FOR CONSIDERATION:  
November 15, 2019

The parties, by and through their undersigned counsel, hereby stipulate and agree  
as follows:

U.S. Citizenship and Immigration Services' ("USCIS") asylum office has agreed  
to exercise its discretionary authority to *sua sponte* conduct in good faith a *de novo*  
review of the credible fear finding of Petitioner Rohit Rohit to determine if  
reconsideration of the negative determination is warranted. USCIS interviewed  
Petitioner again, with the assistance of counsel, on Friday, November 15, 2019. If  
Petitioner establishes that he can meet the credible fear standard, Respondent DHS will  
issue and file a Notice to Appear, placing Petitioner in full removal proceedings before  
the Immigration Judge.

1 Accordingly, the parties agree that this matter is now moot and may be dismissed  
2 with prejudice and without costs or fees to any party. In addition, the Court's temporary  
3 stay per its September 11, 2019 Order (Dkt. No. 3) is hereby lifted.

4 DATED this 15th day of November, 2019.

5 Respectfully submitted,

6  
7 BRIAN T. MORAN  
8 United States Attorney

9 /s/ Michelle R. Lambert

10 MICHELLE R. LAMBERT,  
11 NYS#4666657

12 Assistant United States Attorney  
13 Western District of Washington  
14 United States Attorney's Office  
15 1201 Pacific Avenue, Suite 700  
16 Tacoma, Washington 98402  
17 Phone: 253-428-3800

18 E-mail: michelle.lambert@usdoj.gov  
19 *Attorneys for Respondents*

20 /s/ Jennifer Kim Lesmez

21 Jennifer Kim Lesmez, WSBA# 34547  
22 Law Offices of Jennifer Lesmez  
23 5800 Soundview Drive, Ste. B-104  
24 Gig Harbor, WA 98335  
25 509-424-8697

26 Email: jlesmez@aol.com


27 *Attorney for Petitioner*  
28

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

IT IS FURTHER ORDERED that the case is dismissed with prejudice and without costs or fees for any party. The temporary stay is hereby lifted.

Dated this 18th day of November, 2019.

  
BARBARA J. ROTHSTEIN  
United States District Judge

Recommended for entry this 18 of Nov., 2019.

  
BRIAN A. TSUCHIDA  
Chief Magistrate Judge